

DECLARATION AND POWER OF ATTORNEY
IN PATENT APPLICATION

Attorney Docket No.: 1759-28-3

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

INTRA-BRONCHIAL OBSTRUCTING DEVICE THAT CONTROLS BIOLOGICAL
INTERACTION WITH THE PATIENT

the specification of which

is attached hereto.

was filed on _____ as U.S. Application Serial No. (or PCT International Application No.) _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b), of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

<u>Number</u>	<u>Country</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
_____	_____	Day/Mo/Year	Yes/No
_____	_____	Day/Mo/Year	Yes/No

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.

<u>Application No.</u>	<u>Filing Date</u>
_____	_____

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application Number</u>	<u>Filing Date</u>	<u>Status: Patented</u> <u>Pending/Abandoned</u>
_____	_____	_____

I hereby appoint the attorneys associated with Customer No. 000996 to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all correspondence and phone calls to:

Frederick A. Kaseburg
GRAYBEAL JACKSON HALEY LLP
155-108th Avenue NE
Suite 350
Bellevue, WA 98004-5901
(425) 455-5575

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Lauri J. DeVore _____ USA _____
Full Name of Inventor Citizenship

17036 13th Avenue N.E., Seattle, Washington 98155 _____
Residence

Post Office Address (if different from Residence)

200 J _____ 2-20-02 _____
Inventor's Signature Date

Richard O. Shea _____ USA _____
Full Name of Inventor Citizenship

14925 59th Place NE, Kenmore, Washington 98028 _____
Residence

Post Office Address (if different from Residence)

Richard O. Shea _____ 2-20-02 _____
Inventor's Signature Date

John H. Wang _____ USA _____
Full Name of Inventor Citizenship

4479 194th Way NE, Sammamish, Washington 98028 _____
Residence

Post Office Address (if different from Residence)

John H. Wang _____ 20 Feb 02 _____
Inventor's Signature Date